

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE STRONGHOLD DIGITAL MINING, INC. :
STOCKHOLDER DERIVATIVE LITIGATION :

23 Civ. 7840 (RA) (GS) (Lead Case);
23 Civ. 8174 (RA) (Member Case)

-----:
GLENN BRUNO, derivatively on behalf of :
STRONGHOLD DIGITAL MINING, INC., :

ORDER

Plaintiff,

- against -

GREGORY A. BEARD, WILLIAM B. SPENCE, :
RICARDO R.A. LARROUDE, SARAH P. JAMES, :
THOMAS J. PACCHIA, MATTHEW J. SMITH, :
AND THOMAS R. TROWBRIDGE, IV, :

24 Civ. 798 (JGLC) (GS)

Defendants,

- and -

STRONGHOLD DIGITAL MINING, INC.,

Nominal Defendant.

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JEFF PARKER AND TIAN YANG, derivatively on :
behalf of STRONGHOLD DIGITAL MINING, :
INC., :

Plaintiffs,

- against -

GREGORY A. BEARD, WILLIAM B. SPENCE, :
RICARDO R.A. LARROUDE, SARAH P. JAMES, :
THOMAS J. PACCHIA, MATTHEW J. SMITH, :
AND THOMAS R. TROWBRIDGE, IV, :

23 Civ. 10028 (RA) (GS)

Defendants.,

- and -

STRONGHOLD DIGITAL MINING, INC.,

Nominal Defendant.

ORDER

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GARY STEIN, United States Magistrate Judge:

The Court is in receipt of letters from counsel dated February 13, 2024, and February 14, 2024. (*See* Dkt. Nos. 19 & 20).¹ In the February 13, 2024 letter, lead counsel for Plaintiffs Tom Wilson and Christian Navarro in the Consolidated Derivative Action requests that the Court further consolidate *Parker et al. v. Beard et al.*, 23 Civ. 10028 (RA) (GS) (the “*Parker Action*”) and *Bruno v. Beard et al.*, 24 Civ. 798 (JGLC) (GS) (the “*Bruno Action*”) into the Consolidated Derivative Action pursuant to Paragraph 7 of Judge Abrams’s October 24, 2023 Order (*See* Dkt. Nos. 12, 19).² Lead counsel further represents that the defendants common to all three of these actions (the “Three Derivative Actions”) do not object to further consolidation. (Dkt. No. 19 at 2 n.1).

In the February 14, 2024 letter, Plaintiff’s counsel in the *Bruno* action informs the Court that they do not object to lead counsel’s proposed consolidation, but request to become co-lead counsel in the Consolidated Derivative Action due to relevant factual differences between the Consolidated Derivative Action and the *Bruno Action*. (Dkt. No. 20 at 1).

As of this date, Plaintiffs’ counsel in the *Parker Action* has not informed the Court of whether they object to consolidation of the *Parker Action* into the

¹ All Docket citations are to *In Re Stronghold Digital Mining, Inc. Stockholder Derivative Litigation*, 23 Civ. 4696 (RA) (GS) (the “Consolidated Derivative Action”) unless otherwise noted.

² The undersigned has been referred to handle General Pretrial matters in the Consolidated Derivative Action (Dkt. No. 22), the *Parker Action* (*Parker Action* Dkt. No. 7), and the *Bruno Action* (*Bruno Action* Dkt. No. 4).

Consolidated Derivative Action. Nor has lead counsel in the Consolidated Derivative Action responded to Bruno's counsel's request to be designated as co-lead counsel in the Consolidated Derivative Action.

In order for the Court to resolve these matters, plaintiffs' counsel in the Three Derivative Actions are directed to promptly meet and confer on these topics. Thereafter, no later than March 15, 2024, plaintiffs' counsel in the Three Derivative Actions must inform the Court by joint letter whether plaintiffs in the *Parker* Action object to consolidation of that case into the Consolidated Derivative Action and of the parties' respective positions concerning the designation of lead counsel in the Consolidated Derivative Action. If plaintiffs' counsel in the Three Derivative Actions reach agreement about either—or both—of these topics, the parties are further directed to submit a stipulation to that effect by the same date.

SO ORDERED.

DATED: New York, New York
March 8, 2024



GARY STEIN
United States Magistrate Judge